

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

JONATHAN RICHARDSON a.k.a.
AUTUMN CORDELLIONÈ,

Plaintiff,

v.

COMMISSIONER, INDIANA
DEPARTMENT OF CORRECTION, in her
official capacity,

Defendant.

Case No. 3:23-cv-135-RLY-CSW

DECLARATION OF DAN MITCHELL

I, Dan Mitchell, being over 21 years of age and of sound mind and having been first duly sworn upon my oath, hereby state as follows based upon my own personal knowledge:

1. I am currently, and at all times relevant to Plaintiff's complaint and request for preliminary injunction, employed by Indiana Department of Correction ("IDOC"), where I serve as Warden of Branchville Correctional Facility ("BCF").

2. I have served as Warden at BCF since April 3, 2022.

3. Prior to my position as Warden, I served as BCF's Deputy Warden for about 9 1/2 years.

4. I am aware that Jonathan Richardson a.k.a. Autumn Cordellioné (DOC #127630) is the Plaintiff in this matter and that she is seeking an injunction requiring Defendant to provide her with gender confirmation surgery.

5. To ensure offenders at BCF are provided adequate medical care, IDOC contracts with Centurion Health, LLC for all offender health care services.

6. IDOC maintains medical records for each offender, which are prepared by medical providers and maintained by the agency in the ordinary course of business.

7. I am not a medical professional and I have no medical training; therefore, I defer to the independent professional judgment of medical service providers in determining the best course of offender health care and emergency medical treatment.

8. Where there is knowledge or a likelihood of self-harm for an offender, BCF is able to protect the offender from self-harm through measures that include: placing the offender in restrictive status housing (segregation) on suicide watch with a companion, where a correctional officer is assigned to watch the offender in their cell 24/7; and providing mental health services.

9. BCF also provides mental health services on grounds for offenders to see upon request; however, for an emergency such as a likely or know risk of self-harm, the offender is immediately provided mental health services.

10. BCF also provides accommodations to our transgender population, including special shower times for transgender offenders, clothing accommodations, and undergarment purchases through the prison commissary, and use of the offender's preferred pronouns.

11. In addition, IDOC maintains policies and procedures to ensure compliance with the Prison Rape Elimination Act ("PREA") standards and the safety of transgender populations at state facilities, which includes IDOC Policy No. 02-01-118 – Transgender and Intersex Offenders ("Policy").

12. In accordance with this Policy, Plaintiff's housing status is carefully contemplated and subject to the assessments and recommendations by the PREA Committee.

13. Further accommodations may be provided on a case-by-case basis, so long as they are in accordance with legitimate penological security and safety concerns.

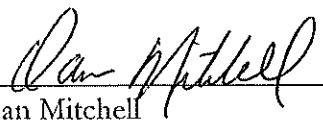
14. As Warden, I am routinely made aware by prison staff or medical service professionals of suicide attempts or other serious attempts of self-harm by an offender.

15. To date, I am not aware of any attempted self-harm by a BCF offender that was undertaken with intent to conform to a transgender identity.

16. Further Declarant sayeth not.

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Dated: 3-6-24



Dan Mitchell
Warden, Branchville Correctional Facility
Indiana Department of Correction